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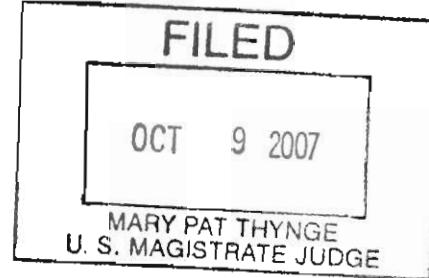
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October 2, 2007



The Honorable Mary Pat Thygne
 J. Caleb Boggs Federal Building
 844 North King Street, Room 6100
 Lock Box 8
 Wilmington, DE 19801

Re: **Cardone v. City of Rehoboth Beach**
 Our File No: 20021-00128
1:06-CV-152-JJF



Dear Magistrate Thygne:

I represent Defendant PFC R. Tyler Whitman in the above-referenced case. I wish to respond to Plaintiff Charles Cardone's letter to Your Honor requesting a 90-day continuance to re-file several civil actions, including this one, that he voluntarily dismissed in March 2007. Defendant hereby advises Your Honor that it takes no position on Plaintiff's continuance request.

Respectfully submitted,

 Daniel A. Griffith
 DAG

DAG/hr

cc: Charles F. Cardone
 Clerk of Court